Residential
Tenancy
Commission

Report to the Minister

Residential Tenancy Commission

1985-86

Residential Tenancy Commission
Commission de location résidentielle

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August 18, 1986

MEMORANDUM TO: The Honourable Alvin Curling
Minister of Housing

FROM: Phillip C. Williams
Chief Tenancy Commissioner

RE: Annual Report 1985/86

It is my privilege and pleasure to submit to you the last Annual Report of the Residential Tenancy Commission, pursuant to Section 91(1) of the Residential Tenancies Act, for the fiscal year April 1, 1985 to March 31, 1986.

Attachment

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REPORT OF THE
RESIDENTIAL TENANCY COMMISSION

STATISTICAL HIGHLIGHTS OF ACTIVITIES FOR 1985/86

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• Landlord applications received in the fiscal year were 2,041 involving 75,169 rental units, up 14% and 30% respectively from 1,793 applications involving 58,043 rental units in the previous year.	6
• Landlords requested an average increase of 15.76% and were granted an average increase of 9.57%, the lowest average increase granted since the establishment of rent regulation in Ontario in 1976.	13,17
• One in six units coming through rent review were granted a rent increase at or below 6%, the guideline rate for part of the year. Only 1.5% of all units received rent increases above 25%.	22
• A total of 4,146 tenant applications for rent rebate were received in the year, up 24% from last year. Informal mediation between landlords and tenants, assisted by a Commission mediator, led to an agreement in six out of every ten cases finalized during the year.	7,8
• Tenants who received a rent rebate obtained an average rebate of $948, an increase of 25% over the previous year. Tenants recovered from landlords approximately $1.9 million in excess rents paid, an increase of 46% in total rents recovered over the previous year.	24
• There were 431,332 inquiries received in the year, an increase of 40% over last year. Three times as many tenants as landlords utilized this service.	10
• Appeals arising out of tenant applications surpassed, for the first time since the inception of the program, appeals arising out of whole building review applications by approximately 50%. The appeal rate for appeals arising out of tenant applications was twice the appeal rate for appeals arising out of whole building review applications.	9,26
• Nine prosecutions were finalized during the year all of which resulted in convictions against landlords charged with knowingly disobeying Commission orders or furnishing false information to the Commission. Fines were levied ranging from $250 to $15,000.	10

REPORT TO THE MINISTER
FOR FISCAL YEAR 1985/86

1. INTRODUCTION

Review of Fiscal 1985/86 Operations

The Residential Tenancy Commission completed its seventh year of operation on March 31, 1986. Two important bills were introduced in the Legislature during the year in keeping with the Government's commitment to rent review reform. The Residential Tenancies Amendment Act (Bill 77) received Royal Assent and became law on December 20, 1985. It changed the guideline ceiling from six percent to four percent for rent increases taking effect on or after August 1, 1985 and set out procedures to be followed where a landlord had increased or given notice to increase the rent by more than four percent effective August 1, 1985 without an order of the Commission. The six percent guideline rate had been in effect since October 1977 and prior to that date was eight percent. Rental units that were renting for $750 or more prior to October 30, 1984 were exempt; Bill 77 extended rent review to these units effective August 1, 1985. The legislation extended the five percent maximum financing cost-pass-through under the Residential Complexes Financing Costs Restraint Act for one more year to December 31, 1986.

The Government also introduced the Residential Rent Regulation Act (Bill 78), a broad package of legislative and policy initiatives.

The reduction of the guideline rate from six percent to four percent retroactive to August 1, 1985 had immediate impact on the Commission's workload. Whole building review applications, which had averaged 122 per month just prior to passage of Bill 77 in December 1985, jumped to 206 in January, 348 in February and 163 in March, 1986. Inquiries also had a sharp increase attributable to a province-wide information campaign on the new legislation by the Ministry of Housing. These climbed from an average of 31,000 per month prior to the new legislation to an average of 43,000 per month following introduction of Bills 77 and 78. On a year-to-year basis, all incoming applications, appeals and inquiries for the current year were between 14 percent and 41 percent higher than the fiscal 1984/85 period. In particular, tenant applications for rent rebate increased for the seventh year in a row and finished the year at 4,146, up 24 percent from last year and 257 percent from (or 3 1/2 times the number in) fiscal year 1980/81.

One particular aspect of the new rent review initiatives announced by the Government was the creation of a Rent Review Advisory Committee including nine tenant representatives and nine landlord representatives from across Ontario. The Committee's immediate task was to review the proposed legislation and achieve a consensus that would balance the interests of landlords and tenants within the framework of government policy. After three months of intensive discussion and consultation the Rent Review Advisory Committee reached agreement on a wide range of issues and presented its recommendations to the Minister of Housing on April 18, 1986. The majority of recommendations were incorporated into the amended Residential Rent Regulation Act currently before the Legislature.

The year saw the administrative transfer of the Residential Tenancy Commission from the Ministry of Consumer and Commercial Relations to the Ministry of Housing.

Future Outlook

Following the report of the Rent Review Advisory Committee to the Minister on Bill 78 the Minister introduced a new Residential Rent

Regulation Act (Bill 51) incorporating the recommendations of the Committee and the thrust of the Government's revamped rent review program. Simultaneously, Bill 78 was withdrawn and discharged. Bill 51 is presently before the Legislature.

The new Act, when passed, will introduce a substantially altered form of rent review in Ontario from the present system. The Residential Tenancy Commission will be abolished. The administrative review function will be handled by an operating division of the Ministry of Housing while the appeal function will be transferred to a new Rent Review Hearings Board.

2. LEGISLATIVE & POLICY DEVELOPMENT

Assured Housing Policy

On December 16, 1985, the Minister of Housing unveiled a comprehensive, long-term housing policy which included major reform of the rent review process in Ontario. The policy called "Assured Housing for Ontario" contained a series of housing and building initiatives intended to provide adequate and affordable housing to all residents of Ontario. The broad range of proposals included funding for the upgrading of older homes, both rental and owned, construction of new geared-to-income rental units, the creation of a world-class building industry centre and revamping of the present rent review system.

Rent Review Highlights

The establishment of a permanent and fair system of rent review is the cornerstone of the housing reform proposals contained in the Assured Housing Policy. The new system will replace, in large measure, the quasi-judicial nature of the present review process.

Following are highlights of the rent review initiatives proposed in the Assured Housing Policy.

- Establishment of a rent registry.
- Changing of the guideline rate from six percent to four percent, with annual reviews commencing January 1, 1987.
- Inclusion of rental units built after 1975 in the rent review legislation.
- Extension of rent review to units renting for $750 or more a month.
- Introduction of a costs-no-longer-borne provision.
- Establishment of a Rent Review Advisory Committee of landlord and tenant representatives to review legislation and advise the Minister on long-term housing policy.

Thom Inquiry

The Thom Inquiry was established on November 26, 1982 by the Ontario Government to examine the operation of rent regulation in Ontario and recommend ways to improve the present system. The Inquiry's Phase I Report was released by the Minister of Consumer and Commercial Relations in the Legislature on October 30, 1984, and came under extensive scrutiny by the media, landlord and tenant groups, research organizations and public officials. Some of the Thom Inquiry's recommendations have already been legislated as part of the Residential Tenancies Amendment Act, 1985 (Bill 77).

Presently the Thom Inquiry is preparing its Phase II report following public hearings held during the period October 1984 to February 1986. The second phase is concerned with defining the objectives of rent regulation and studying various measures, including rent review, of achieving these objectives.

Residential Tenancies Amendment Act, 1985 (Bill 77)

The Residential Tenancies Amendment Act (Bill 77) was enacted on December 20, 1985. It amends, but does not replace, the Residential Tenancies Act and the Residential Complexes Financing Costs Restraint Act, 1982.

Provisions of this legislation include the following:

- Reduction of guideline rate from six percent to four percent beginning with rent increases taking effect on or after August 1, 1985.

- Inclusion under rent review of rental units that were rented prior to January 1, 1976 and whose rents had reached $750 or more on or before October 30, 1984.

- Extension of the Residential Complexes Financing Costs Restraint Act from December 31, 1985 to December 31, 1986.

The Act also sets out the consequences and the procedures to be followed where a landlord has increased the rent by more than four percent on or after August 1, 1985, without authorization by an order of the Residential Tenancy Commission.

Residential Rent Regulation Act, 1985 (Bill 78)

This legislation was intended to replace the provisions of the Residential Tenancies Act that govern rent review with a new Act. The Bill passed first reading on December 16, 1985 but was subsequently withdrawn and replaced by the Residential Rent Regulation Act, 1986 (Bill 51).

Residential Rent Regulation Act, 1986 (Bill 51)

This Bill was introduced and given first reading on June 5, 1986 and is presently before a committee of the Legislature for detailed study and analysis. The proposed legislation reflects, in large measure, the recommendations on rent review reform made by the Rent Review Advisory Committee in a Report submitted to the Minister of Housing on April 18, 1986.

Policy Guidelines

The Commission issues a number of policy and procedural guidelines and informational material to assist Commission staff and the public in the interpretation and application of the Residential Tenancies Act. In particular, the Commission establishes procedural and rent review guidelines, which are intended to assist Commissioners and the public in the interpretation and application of certain key provisions of the Act. However, these are not binding statements of law and do not in any way restrict the discretion of the Commissioner where he/she may have a different interpretation of the Act.

The Interpretation Guidelines are continually being reviewed to reflect legislative changes, court decisions and experience of the Commission in dealing with specific situations. New guidelines are developed to address emerging issues or clarify problem areas.

3. ROLE AND ORGANIZATION OF THE COMMISSION

Role of the Commission

The Residential Tenancy Commission is a quasi-judicial body established under the authority of the Residential Tenancies Act, Revised Statutes of Ontario 1980, chapter 452. It has jurisdiction under the Act to review rent increases at the request of either a landlord or a tenant. Its activities include:

- reviewing applications from landlords requesting approval to charge rent increases above a percentage guideline specified in the Act and determining the maximum monthly rent which can be charged.

- reviewing applications from tenants disputing rent increases proposed by landlords which fall within the guideline.

- reviewing applications from tenants claiming a rebate for rents charged in excess of the amount allowed under the Act, establishing the lawful monthly rent and the amount of rebate to be paid.

Commissioners conduct hearings into applications from landlords and tenants and issue orders along with reasons setting out the maximum rent that may be charged. Appeal Commissioners consider appeals to decisions of Commissioners. Appeal hearings are conducted by a panel of three Appeal Commissioners and the panel's order is final under the Act.

The Commission also serves as a source of information on the residential portion of the Landlord and Tenant Act. This Act prescribes rights and responsibilities on many aspects of landlord-tenant relationships, including such areas as evictions, privacy rights, responsibilities of landlords and tenants for maintenance and re-pairs and security deposits. The Commission distributes the pamphlet "Your Rights and Obligations under the Landlord and Tenant Act".

Organization of the Commission

The administration of the Commission is vested in a Board of Commissioners appointed by the Lieutenant Governor-in-Council. The Board consists of the Chief Tenancy Commissioner, who is Chairman of the Board, three Regional Commissioners, two Appeal Commissioners and two legal counsel from the Ministry of the Attorney General.

The Commission serves the public through 21 offices which are administratively grouped into three regions. These offices receive and process applications from landlords and tenants and provide inquiry services to the public on rent review and other landlord-tenant matters. Head Office staff provides legal, technical and administrative support services to the local offices.

At year end the Commission had 238 staff which included 30 Commissioners, 9 Appeal Commissioners and 3 Regional Commissioners.

Budget Performance

Actual expenditure for the year was $7.9 million against an appropriation of $8.1 million. This compares with actual expenditure of $7.4 million in the previous year. The higher expenditure in the current year reflects marginal inflationary increases in salaries and other operating costs, as well as the recruitment of additional contract staff.

4. WORKLOAD AND SERVICE LEVEL ANALYSES

Whole Building Review Applications

During the year the Commission received 2,041 landlord applications for whole building review involving 75,169 rental units. These figures represent increases of 14 percent and 30 percent respectively from 1.793 applications and 58,043 rental units received in the previous year.

The chart below represents incoming whole building review applications, by quarter, for the years 1985/86 and 1984/85 (see Figure 1).

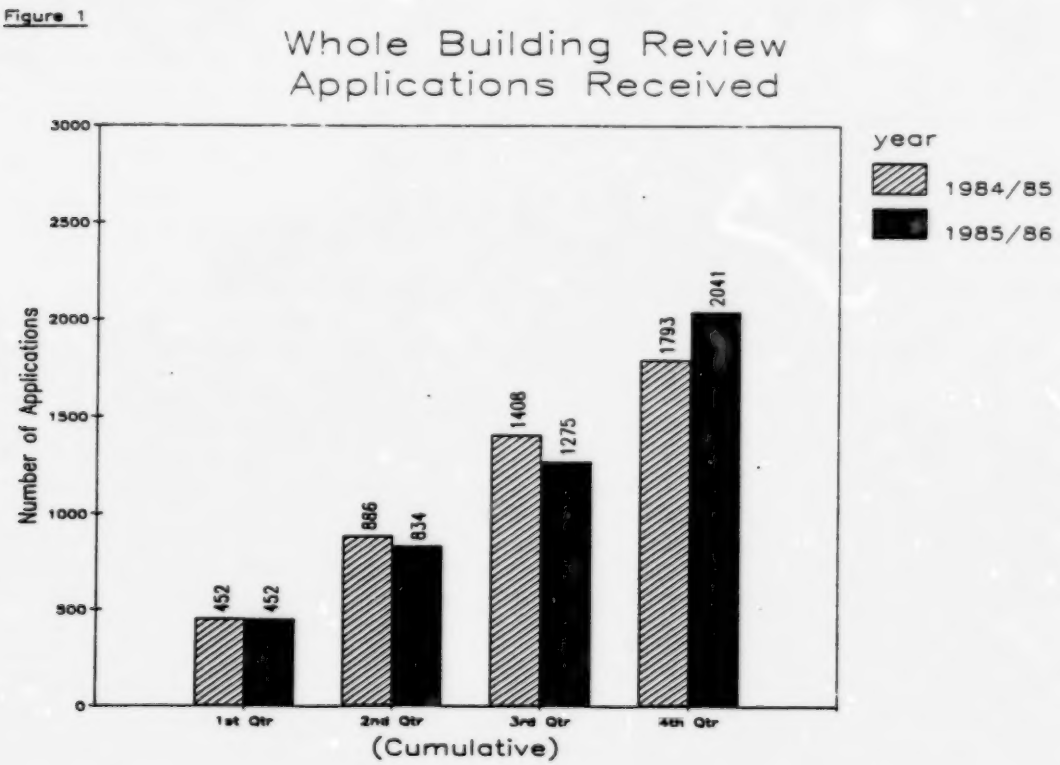
The higher number of applications received during the year is attributed primarily to the sharp increase in applications during the last three months of the year following passage of Bill 77. During this period applications jumped 86 percent from the comparable period a year ago. The new legislation permitted landlords who had increased rents in excess of 4 percent (up to 6 percent) effective August 1, 1985 without a prior order of the Commission, to file a retroactive application by February 14, 1986.

The substantial increase in incoming applications had an adverse impact on the outstanding applications backlog which soared 79 percent to 733 by March 31, 1986 from a five-year low of 409 on March 31, 1985.

As in previous years applications by landlords of large complexes (i.e. apartment buildings with elevators), while representing a relatively small proportion (26 percent) of total hearings held, resulted in decisions affecting a large segment (81 percent) of rental units involved. (Refer to Tables 2 and 3 in Section 6).

The service level for whole building review applications continued to improve in the current

Figure 1



year over the last two years. On average the time required to process an application from date of receipt until the issuance of the order was reduced 13 percent from last year and a cumulative 35 percent from two years ago.

The average amount of time taken to prepare and issue an order of the Commission following a hearing was approximately one-and-a-half months. In terms of issuing orders prior to the effective date of the first rent increase, this was achieved in 18 percent of all applications, an improvement from 13 percent last year.

Tenant Applications for Rent Rebate

A total of 4,146 applications for rent rebate were filed by tenants during the year, up 24 percent from 3,336 in the previous year. This is the seventh year in a row these applications have recorded new highs and reflects the ongoing concern of tenants over the possibility of unlawful rents.

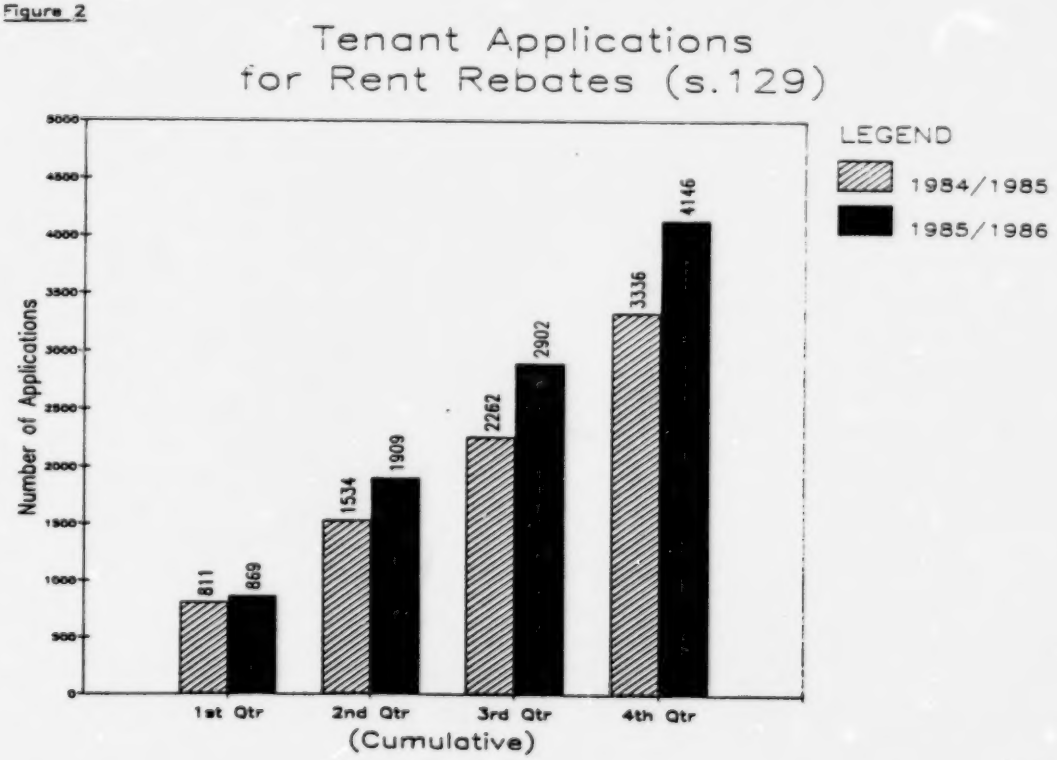
The service level for rent rebate applications improved marginally from last year despite a significant increase in workload. The average time taken between receipt of an application and date of settlement, where one was reached, was 68 days versus 72 days in the previous year. Where a hearing was required an average of 141 days elapsed between receipt of the application and issuance of the order, compared to 143 days last year.

The chart (Figure 2) below represents incoming tenant applications for rent rebate, by quarter, for the past two years.

Tenant Applications Disputing Proposed Rent Increases

After several years of decline these applications rebounded to a level of 693 during the year from 550 a year earlier, but remained well below the peak of 1,649 realized in 1980/81. The increase of this year over last year is not

Figure 2



indicative of a trend as more tenants are becoming aware that all increases above the guideline rate must be approved by the Commission at a whole building review hearing. The reduction of the guideline rate from six percent to four percent should also reduce the applications from tenants seeking justification of proposed rent increases.

The service level for processing these applications was less than satisfactory due to a greater emphasis placed on expediting whole building review hearings. It took an average of 98 days to achieve a mediated settlement where one was achieved, compared to 97 days last year. Where mediation did not resolve the dispute and a hearing was held the average time taken until the issuance of the order was 324 days involving 145 rental units compared to 202 days involving 70 rental units in the previous year.

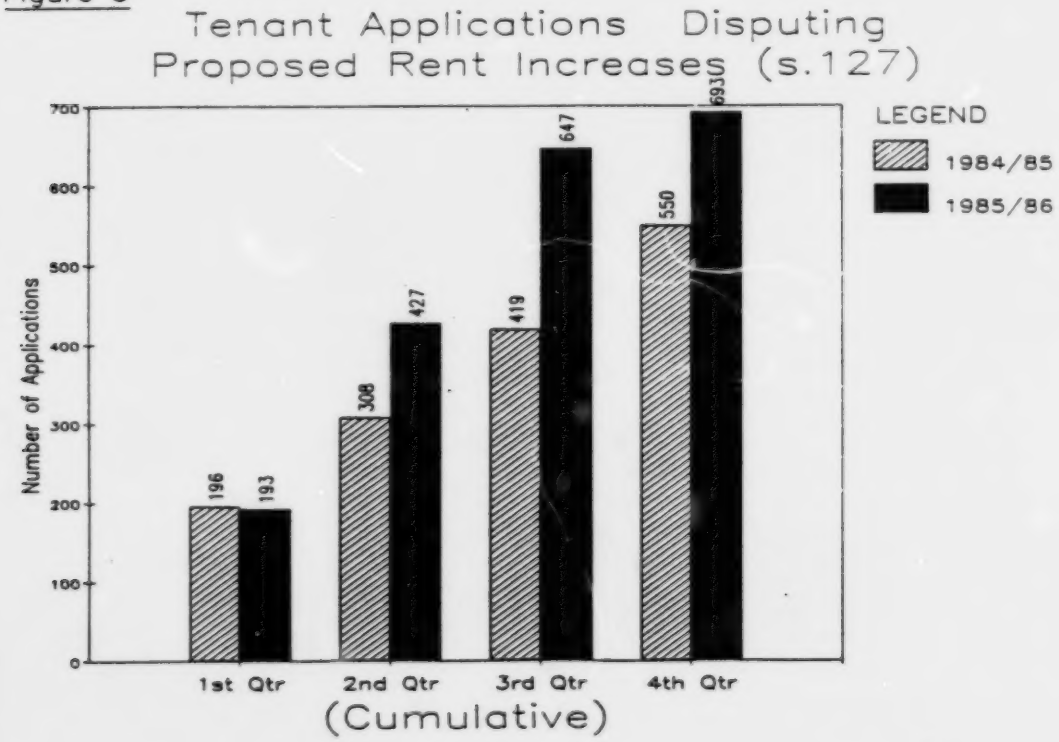
The chart (Figure 3) below depicts incoming tenant applications disputing proposed rent increases, by quarter, for the past two years.

Mediation

For tenant applications the Residential Tenancy Commission is required to provide mediation to "assist the parties to the proceeding in attempting to settle the matter by agreement". Where a mediated settlement is not reached a formal hearing is held by the Commission.

During the year the Commission assisted the parties in reaching an agreement in 1,856 tenant applications for rent rebate compared to 1,906 in the previous year (see Table 10, Section 6). This represents a resolution rate of 61 percent of tenant applications for rent rebate by mediation, a slight decline from 65 percent last year.

Figure 3



The Commission also achieved mediated settlements in 171 cases of tenant applications disputing proposed rent increases, up from 138 in the past year (see Table 10, Section 6).

Appeals

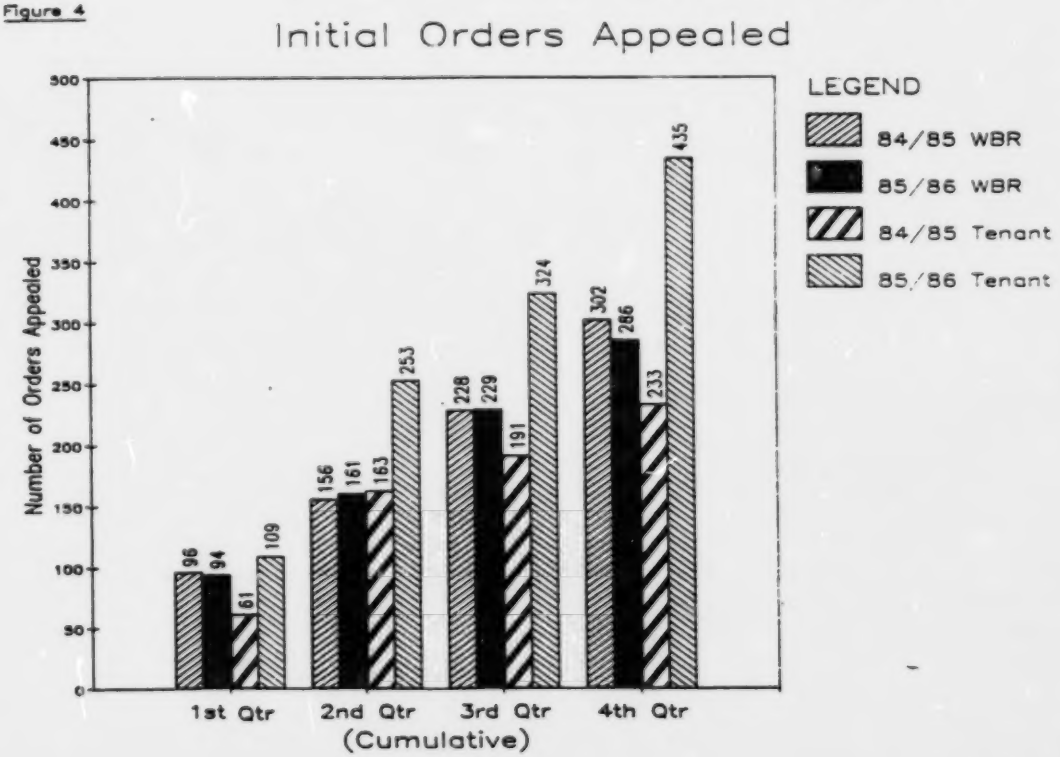
The number of appeals filed with the Commission from decisions of first level hearings increased during the year to 721 from 535 last year reflecting an increase in applications for rent review, primarily from tenants, and a higher appeal rate. For the first time since the inception of the Commission, appeals arising out of tenant applications surpassed appeals arising out of whole building review applications, although the trend towards increasing tenant appeals has been in place for the past several years. For example, of the total appeals filed, 60 percent related to appeals arising out of tenant applications during this year compared to 44 percent in 1984/85, 24 percent in 1983/84 and 7 percent in 1982/83.

The number of appeal applications awaiting a hearing on March 31, 1986 was 183, up substantially from 87 on March 31, 1985. This is due partly to an increase in appeals filed during the year and partly to a reduction in the number of Appeal Commissioners available to conduct hearings. A total of 515 appeal hearings was conducted during the year compared to 547 in the previous year.

The service level of appeals, in terms of total days to process an application, improved marginally for the year from the previous year. It took an average of 158 days to process an appeal (whole building review) from the date of filing to the date of the appeal order compared to 167 days last year. The 158 days are broken down into component parts as follows (with last year's figures in brackets): appeal application to hearing 92 days (92 days); and appeal hearing to issuance of order 66 days (75 days).

The chart (Figure 4) below illustrates appeal workload, by quarter, for the past two years.

Figure 4



Inquiries

During the year the Commission received 431,332 inquiries from the public, up almost 40 percent from 305,788 in the previous year. In particular, January and February recorded the heaviest number of inquiries as a result of the passage of Bill 77 and introduction of Bill 78 in late December 1985.

Analysis of the inquiries statistics indicates three times as many tenants as landlords telephoned the Commission to enquire about such matters as notice of rent increase, hearing procedures, leases and security deposits. Overall a greater proportion of inquiries received during the year related to landlord and tenant matters (52 percent) versus rent review matters (44 percent). (See Table 9, Section 6).

Monitoring, Investigations and Prosecutions

The Commission has continued its investigation and prosecution efforts with a view to ensuring compliance with rent review legislation.

In the year, 34 new investigations were started, referred by Commissioners, Commission staff, tenants, landlords, their representatives and others. A total of 32 investigations were completed during the year, and at year end 13 investigations were still in progress.

The process, commenced last year, of monitoring rents to determine compliance with Residential Tenancy Commission orders, continued throughout the year. During the year 143 apartment complexes involving 5,897 units were monitored. Of these, five complexes with 306 units were identified for further investigation and possible prosecution. Tenants in 33 complexes containing 1,293 units were referred to local offices to file an application to determine the lawful rent for their units. At year end, 50 complexes involving 2,390 rental units were still being monitored.

Some investigations revealed breaches of Commission orders and charges were laid in a number of cases. In the year, nine prosecutions were finalized, all of which resulted in convictions. These convictions are summarized below:

1. Six prosecutions for knowingly disobeying Commission orders resulted in convictions in Provincial Court against five companies and three individuals. The fines ranged from $500 to $10,000 and totalled $23,700.

2. Three prosecutions for knowingly furnishing false information to the Commission resulted in convictions in Provincial Court against two companies and four individuals. The fines ranged from $250 to $15,000 and totalled $20,250.

Appeals to Divisional Court

Decisions made by appeal panels of the Commission may be further appealed on questions of law to Divisional Court. Applications for judicial review of Commission decisions may also be made to the Divisional Court.

Court decisions provide important guidance for Commissioners in interpreting the Act and conducting hearings. Recent court decisions have affirmed the discretionary powers of Commissioners and established criteria for resolving procedural issues.

In the year an additional 96 Commission decisions were challenged in Divisional Court. During the year 33 cases were resolved. Of

these 33 cases, 19 were discontinued or abandoned by the appellants, 7 were allowed by the Court and 7 were dismissed. At year end there were 156 cases in progress.

Some further decisions of the Divisional Court during the past year resulted in principles of importance to the Commission and the public generally. Some of these important court decisions are summarized below:

1. In the case of Re Brahmsgate Investments Inc., an unreported decision of the Divisional Court, dated January 8, 1985, the Court held that a promise by a tenant to pay realty taxes to the municipality is a covenant to pay "rent" as defined by the Residential Tenancies Act. As such, the landlord was liable to rebate to the tenant the amount of the excess rents paid.

2. In the case of Vance v. Hardit Corporation, dated December 23, 1985, reported 53 O.R. (2d) 183, the Court held that section 109 of the Residential Tenancies Act is a clear proviso that information obtained by a Commissioner in addition to the evidence given at the hearing must be disclosed to all interested parties and those parties must be allowed an opportunity to explain or refute it. The Court went on to hold that even in the absence of section 109, this obligation exists at common law, as a rule of natural justice.

3. In two cases heard consectively, namely Alex Rae et al. v. Rank City Wall Canada Limited and Stephen C. French v. Rank City Wall Canada Limited, both dated September 10, 1985 (unreported), the Court of Appeal laid down the principle of law that the Residential Tenancy Commission does have the jurisdiction to consider the question of whether proper notice of a rental increase has been given by the landlord, as required by subsection 60(1) of the Residential Tenancies Act. The Court held that the validity of a notice given pursuant to section 60 of the Residential Tenancies Act is a matter or question arising under the Act. The Commission, thus, has jurisdiction to determine that very question, the validity of the notice. The jurisdiction of the Commission to decide the issue arises by necessary implication from the provisions of sections 60 and 84(1) of the Act.

4. In the case of Koressis v. Turner and R.T.C., an unreported decision of the Divisional Court dated May 5, 1986, the Court held that the onus of proof of proving an exemption from rent review under section 134(1)(c) lies on the landlord. In the course of considering the question of exemption, the Commission is required to consider the defence of promissor estoppel and any other questions of law that may arise in the course of the proceeding.

5. In the case of Hamly et al. v. Hornyak et al., an unreported decision of the Divisional Court dated March 7, 1986, the Court held that the Commissioner, having concluded on the evidence that there should be no rent increase, did not have authority, simply because he thought a decrease in the actual rent was appropriate, to fix an increase in rent at $1.00 so as to prevent a further application by the landlord for a period of one year.

6. In the case of Re 1411 Morisset Avenue, Ottawa, an unreported decision of the Divisional Court dated November 18, 1985, the Court decided that the Commission is not bound by prior decisions it has made and that it is not applicable to the Commission, which may apply different criteria from time to time. A decision made in one year cannot estop the Commission from reaching a different conclusion in respect of a fresh rent increase application.

Staff Development

Throughout the year, seven different technical training courses were provided to employees and Commissioners. A total of 433 participant days were involved in this training as well as 60 resource person days.

5. RENT REVIEW RESULTS

Whole Building Review Hearings

In the year, based on 1,468 hearings held for which orders were issued, landlords requested an average increase of 15.76 percent and were granted an average increase of 9.57 percent (see Table 1, Section 6). The 9.57 percent figure represents the lowest average percentage rent increase since the establishment of rent regulation in Ontario in 1976. The comparable figures for the previous year were 15.95 percent and 10.03 percent respectively.

As in previous years landlords of smaller complexes generally requested and received larger rent increases, and landlords of large complexes requested and received smaller rent increases. For example, landlords of duplex buildings which represented 10 percent of all hearings, requested increases of 29.0 percent and were granted increases of 18.2 percent. By contrast, landlords of large elevator complexes (averaging 129 units) requested and received average increases of 14.5 percent and 9.0 percent respectively (see Table 4, Section 6).

A large number of increases granted by the Commission, based on units, were in the lower percentage ranges. Over one-half of all units that came to rent review were granted increases below 10 percent. At the extremities, one in six units received average rent increases at or below six percent, while less than two in 100 units received average increases above 25 percent (see Table 5A, Section 6).

Impact of Cost Factors

The whole building rent review process is based on the cost-pass-through principle which permits landlords to recover cost increases actually experienced or anticipated in the future, with certain limitations on financing costs imposed by the Residential Complexes Financing Costs Restraint Act. The actual costs to be considered are operating costs, capital expenditures, financing costs, financial loss and relief of hardship.

The relative importance of individual cost factors and their impact on rent increases granted are summarized in Figure 5 below:

Figure 5

Relevant Cost Factor	No. of Hearings	Proport. of all Hearings %	Average Total Increase %	Portion of Increase Attributable to: Relevant Factor %	Portion of Increase Attributable to: Other Factors %	Impact of Relevant Factor on all Applic. %
1. Operating Costs	1,420	97	9.5	4.1	5.4	4.0
2. Capital Expenditure	1,307	89	9.6	3.0	6.6	2.8
3. Financing Costs	228	15	10.1	3.3	6.8	0.8
4. Financial Loss	721	49	10.6	4.2	6.4	1.9
5. Relief of Hardship	81	5	10.8	1.3	9.5	0.1
Total Hearings	1,468	100	9.6	-	-	9.6

Operating costs continued to be the single most frequent and important factor in landlords' applications for rent review and this was allowed in 97 percent of all decisions issued by the Commission. The rent increase granted due to this factor alone was 4.1 percent which is slightly above the guideline rate of 4 percent that was in effect for most of the year. In terms of impact, increased operating costs contributed 4 percent to the 9.6 percent overall increase granted. This was the largest of the cost factors considered.

Capital expenditures were the second most frequent factor responsible for rent increases having been allowed in nine out of ten applications heard by the Commission. This factor contributed 2.8 percent to the overall rent increase, up from 2.5 percent last year and 1.7 percent two years ago. The increasing contribution of this factor to rent increases granted indicates that the rent review process permits landlords to recover costs associated with maintaining and improving their buildings.

The proportion of applications where increased financing costs have been allowed by the Commission declined from 23 percent last year to 15 percent this year. The contribution of this factor of 0.8 percent to the overall rent increase is virtually unchanged from last year, but is significantly lower than the 2.5 percent granted three years ago. The declining importance of this factor in recent years may be attributable to falling interest rates, which during the year reached their lowest level in the past seven years.

For the seventh year financial loss was experienced by landlords in approximately one-half of all whole building review hearings. The impact of this factor on the overall rent increase was 1.9 percent, up marginally from 1.6 percent last year. The relatively small percentage increases in the last few years because of financial loss may be attributed to the Residential Complexes Financing Costs Restraint Act, 1982 which was passed in December of that year. This Act limits to five percent that portion of a rent increase due to financial loss arising out of increased financing costs incurred in the purchase of a rental property.

Tenant Applications for Rent Rebate

In the year 3,029 tenant applications for rent rebate were resolved, 2,075 (or 69 percent) by mediation and 954 (or 31 percent) through formal hearings. Of those resolved, two-thirds received rent rebates averaging $948, up 25 percent from $757 in the previous year and 330 percent higher than the average rebate of $220 at the start of the program in 1979/80. In the remaining cases no overcharge was found. The impact of the rent rebates was a refund of $1.9 million to tenants, representing rents in excess of legally permissible amounts (see Table 7, Section 6). This amount compares with a refund of $1.3 million to tenants in the previous year.

Tenant Applications Disputing Purposed Rent Increases

A total of 306 tenant applications disputing proposed rent increases were processed in the year compared to 210 last year. Of the 306 applications, just over one-half were resolved through agreement between the parties with the assistance of a Commission mediator, and the remainder went to hearings. In 175 cases tenants were successful in obtaining reduction in the proposed rent increase averaging $17 per month. The remaining applications resulted in no changes in proposed rents (see Table 6, Section 6).

Appeal Hearings

In the year the Commission completed 244 whole building review appeal hearings involving 13,427 units. In addition, appeal hearings were held involving 271 tenant applications disputing proposed rent increases and for rent rebate.

Decisions were rendered in 238 whole building review appeals. Results show 38 percent of units appealed had the original rent increase decisions affirmed, 17 percent of units had their rent increases lowered (by an average of $13 per unit) and 45 percent of the units were awarded higher rent increases (averaging $9 per unit) than initially allowed.

The above results of appeal hearings may be found in Table 8, Section 6.

6. RENT REVIEW PROGRAM STATISTICS

The tables in the following pages provide important workload and results data for the Residential Tenancy Commission for the year. Some of these tables have already been alluded to in the previous sections.

In particular, Table 11 provides a seven year summary of important rent review statistics going back to 1979/80, the start of the program.

TABLE 1

AVERAGE RESULTS OF WHOLE BUILDING REVIEW HEARINGS
(1985-86)

OFFICE	# OF HEARINGS	# OF UNITS	INCREASE % REQUESTED	INCREASE MONTHLY $ REQUESTED	INCREASE % GRANTED	INCREASE MONTHLY $ GRANTED
TORONTO	158	13014	16.58	67.99	9.65	39.81
ETOBICOKE	120	1581	18.23	61.65	9.28	31.58
N. YORK	70	6009	13.37	61.07	9.65	45.62
E. YORK	26	1142	13.39	62.13	9.26	38.28
SCARBOROUGH	43	4302	14.54	58.87	7.50	30.95
METRO TORONTO	417	26048	15.46	64.24	9.26	39.12
WINDSOR	71	2142	16.37	51.21	11.78	38.64
LONDON	67	2084	17.23	51.43	10.10	30.11
OWEN SOUND	14	127	10.96	27.10	9.73	24.33
KITCHENER	176	3523	13.07	44.24	8.51	28.88
HAMILTON	143	6993	14.79	51.83	9.36	33.23
ST. CATHARINES	96	2084	13.12	42.02	10.58	33.81
MISSISSAUGA	43	2964	15.36	61.84	7.93	32.35
BARRIE	41	511	23.53	102.42	12.60	62.63
OSHAWA	37	877	15.48	57.01	10.27	37.64
PETERBOROUGH	46	700	28.70	73.35	12.67	34.23
KINGSTON	79	560	18.48	50.55	12.25	34.39
OTTAWA	157	5513	17.54	67.91	10.12	39.78
NORTH BAY	13	102	17.17	40.49	16.31	37.10
SUDBURY	30	381	19.62	48.26	9.66	25.14
TIMMINS	25	70	28.97	62.32	16.97	30.00
THUNDER BAY	13	207	13.54	35.47	10.52	26.91
PROVINCE	1468	54886	15.76	59.64	9.57	36.74

TABLE 2 DISTRIBUTION OF BUILDINGS IN WHOLE BUILDING REVIEW HEARINGS BY TYPE OF BUILDING (1985 - 86)

OFFICE	#SF	#DU	#TRI	#FS	#NE	#E	#RH	#T	#M	TOTAL
TORONTO	15	14	6	15	33	70	5	1	0	159
ETOBICOKE	44	0	6	16	42	12	0	0	0	120
N. YORK	4	2	5	3	21	33	0	2	0	70
E. YORK	2	0	0	6	10	8	0	0	0	26
SCARBOROUGH	2	0	3	1	5	28	0	4	0	43
WINDSOR	8	9	1	10	25	14	0	5	1	73
LONDON	6	8	7	11	25	6	0	4	1	68
OWEN SOUND	1	3	1	7	4	0	0	0	0	16
KITCHENER	12	10	20	25	83	12	0	15	0	177
HAMILTON	17	9	1	9	47	57	0	4	0	144
ST. CATHARINES	5	12	6	29	23	15	0	3	3	96
MISSISSAUGA	3	3	0	7	7	22	0	2	0	44
BARRIE	5	5	6	10	8	5	0	0	2	41
OSHAWA	5	3	6	7	13	4	0	0	0	38
PETERBOROUGH	10	3	5	12	9	3	0	3	1	46
KINGSTON	9	24	5	14	23	2	0	3	0	80
OTTAWA	17	32	23	29	28	25	0	2	1	157
NORTH BAY	2	4	0	2	2	0	0	2	1	13
SUDBURY	3	4	6	7	8	1	0	2	0	31
TIMMINS	8	8	2	6	1	0	0	0	1	26
THUNDER BAY	2	1	1	4	2	0	0	2	1	13
PROVINCE	180	154	110	230	419	317	5	54	12	1481

SF-SINGLE FAMILY DWELLING
DU-DUPLEX
TRI-TRIPLEX
FS-FOUR TO SIX UNITS INCLUSIVE
NE-OVER SIX UNITS BUT FEWER THAN FOUR FLOORS (I.E.,NON-ELEVATOR)
E-OVER SIX UNITS WITH FOUR OR MORE FLOORS (I.E.,ELEVATOR)
RH-ROOMING HOUSE
T-TOWNHOUSE
M-MOBILE HOME SITE

IF THERE WERE MORE THAN ONE TYPE OF BUILDING WITHIN A SINGLE RENTAL COMPLEX, A HEARING COULD HAVE BEEN COUNTED MORE THAN ONCE FOR EACH TYPE INVOLVED

TABLE 3

DISTRIBUTION OF UNITS IN WHOLE BUILDING REVIEW HEARINGS
BY TYPE OF BUILDING
(1985 - 86)

OFFICE	#SF	#DU	#TRI	#FS	#NE	#E	#RH	#T	#M	TOTAL
TORONTO	15	27	15	67	724	12110	45	11	0	13014
ETOBICOKE	44	0	17	83	754	683	0	0	0	1581
N. YORK	4	4	14	18	327	5457	0	185	0	6009
E. YORK	2	0	0	36	224	880	0	0	0	1142
SCARBOROUGH	2	0	9	6	234	3606	0	445	0	4302
WINDSOR	8	15	2	42	940	653	0	241	241	2142
LONDON	6	13	19	54	725	820	0	320	127	2084
OWEN SOUND	1	5	3	39	79	0	0	0	0	127
KITCHENER	13	18	54	120	1558	1513	0	247	0	3523
HAMILTON	17	17	3	45	848	5748	0	315	0	6993
ST. CATHARINES	5	25	17	149	361	1367	0	113	47	2084
MISSISSAUGA	3	6	0	49	131	2350	0	425	0	2964
BARRIE	5	10	18	59	93	244	0	0	82	511
OSHAWA	5	7	16	41	217	591	0	0	0	877
PETERBOROUGH	10	5	14	57	276	172	0	134	32	700
KINGSTON	9	36	14	73	332	73	0	23	0	560
OTTAWA	18	49	59	154	531	4566	0	111	25	5513
NORTH BAY	2	8	0	10	27	0	0	34	21	102
SUDBURY	3	6	14	32	159	45	0	122	0	381
TIMMINS	9	10	4	25	13	0	0	0	9	70
THUNDER BAY	6	8	3	37	31	0	0	77	45	207
PROVINCE	187	269	295	1196	8584	40878	45	2803	629	54886

SF-SINGLE FAMILY DWELLING
DU-DUPLEX
TRI-TRIPLEX
FS-FOUR TO SIX UNITS INCLUSIVE
NE-OVER SIX UNITS BUT FEWER THAN FOUR FLOORS (I.E. ,NON-ELEVATOR)
E-OVER SIX UNITS WITH FOUR OR MORE FLOORS (I.E. ,ELEVATOR)
RH-ROOMING HOUSE
T-TOWNHOUSE
M-MOBILE HOME SITE

IF THERE WERE MORE THAN ONE TYPE OF BUILDING WITHIN A SINGLE RENTAL COMPLEX, A HEARING COULD HAVE BEEN COUNTED MORE THAN ONCE FOR EACH TYPE INVOLVED.

TABLE 4

DISTRIBUTION OF AVERAGE PERCENTAGE INCREASE REQUESTED AND GRANTED BY BUILDING TYPE (1985 - 86)

OFFICE	SF		DU		TRI		FS		NE		E		RH		T		M		TOTAL	
	RE	GR	RE	GR	RE	GR	RE	GR	RE	GR	RE	GR	RE	GR	RE	GR	RE	GR	RE	GR
	(PERCENTAGE(%))																			
TORONTO	30.7	18.7	19.4	14.9	31.0	19.4	41.0	17.4	24.5	13.6	15.9	9.3	13.8	8.1	14.9	6.5	0.0	0.0	16.6	9.7
ETOBICOKE	28.6	11.0	0.0	0.0	26.9	11.9	25.6	13.0	20.6	10.6	13.8	7.2	0.0	0.0	0.0	0.0	0.0	0.0	18.2	9.3
N. YORK	16.4	16.2	17.0	11.1	20.5	10.8	16.7	14.1	17.8	10.3	13.2	9.7	0.0	0.0	10.5	6.5	0.0	0.0	13.4	9.7
E. YORK	15.3	8.1	0.0	0.0	0.0	0.0	15.9	12.7	18.0	11.8	12.1	8.5	0.0	0.0	0.0	0.0	0.0	0.0	13.4	9.3
SCARBOROUGH	13.0	12.0	0.0	0.0	17.4	6.1	30.0	-3.3	19.5	8.2	14.2	7.0	0.0	0.0	14.1	11.4	0.0	0.0	14.5	7.5
WINDSOR	49.9	20.0	25.3	20.2	23.8	65.8	20.6	10.3	16.9	11.9	16.2	14.9	0.0	0.0	13.8	9.9	14.9	3.6	16.4	11.8
LONDON	40.8	24.0	21.3	15.9	26.0	14.5	21.9	10.2	22.3	12.1	11.7	7.7	0.0	0.0	17.9	9.7	18.2	12.9	17.2	10.1
OWEN SOUND	32.1	22.0	19.5	18.2	5.8	5.9	11.6	10.7	10.0	8.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.0	9.7
KITCHENER	41.1	32.8	22.3	19.1	22.5	14.7	18.2	11.9	13.9	9.1	10.4	6.8	0.0	0.0	17.3	10.0	0.0	0.0	13.1	8.5
HAMILTON	20.6	18.7	31.1	22.0	26.4	22.4	20.0	12.0	19.4	11.5	14.2	9.1	0.0	0.0	11.2	7.6	0.0	0.0	14.8	9.4
ST. CATHARINES	44.7	44.5	37.9	16.3	40.5	26.0	19.9	15.0	13.4	8.8	12.0	10.3	0.0	0.0	9.9	8.5	17.8	10.2	13.4	10.6
MISSISSAUGA	14.8	14.7	19.0	11.3	0.0	0.0	14.4	8.4	20.6	12.0	14.6	8.4	0.0	0.0	17.8	3.7	0.0	0.0	15.4	7.9
BARRIE	35.8	17.4	57.9	26.2	32.4	13.4	22.2	9.9	18.9	10.9	12.7	6.4	0.0	0.0	0.0	0.0	55.1	32.8	23.5	12.6
OSHAWA	19.3	17.5	24.1	8.6	17.1	10.4	21.2	12.7	18.4	13.2	13.8	9.0	0.0	0.0	0.0	0.0	0.0	0.0	15.5	10.3
PETERBOROUGH	53.2	19.4	48.6	13.2	24.6	12.1	22.0	18.2	36.2	13.4	20.0	11.5	0.0	0.0	27.3	9.9	20.0	12.7	28.7	12.7
KINGSTON	64.3	45.2	34.3	21.2	30.4	21.3	21.2	14.1	15.9	10.0	10.8	10.0	0.0	0.0	21.0	13.2	0.0	0.0	18.5	12.2
OTTAWA	31.3	18.1	29.1	18.1	38.1	14.1	26.3	11.6	24.1	13.2	15.8	9.7	0.0	0.0	15.4	7.8	75.7	0.0	17.5	10.1
NORTH BAY	35.0	31.3	14.3	18.7	0.0	0.0	14.9	5.9	12.3	7.8	0.0	0.0	0.0	0.0	14.6	17.3	28.2	28.2	17.2	16.3
SUDBURY	37.1	19.5	42.4	25.0	61.9	25.9	28.4	17.3	19.4	13.1	15.0	3.4	0.0	0.0	12.9	2.6	0.0	0.0	19.6	9.7
TIMMINS	58.3	42.3	33.9	25.2	42.8	30.7	30.3	6.7	8.9	8.9	0.0	0.0	0.0	0.0	0.0	0.0	13.4	16.6	29.0	17.0
THUNDER BAY	31.2	16.7	13.0	7.3	15.8	10.7	14.2	11.7	17.9	12.2	0.0	0.0	0.0	0.0	10.0	10.1	13.6	8.9	13.5	10.5
PROVINCE	34.8	20.9	29.0	18.2	30.1	15.8	22.2	12.6	19.1	11.2	14.5	9.0	13.8	8.1	15.2	8.4	24.0	11.5	15.8	9.6

SF-SINGLE FAMILY DWELLING
DU-DUPLEX
TRI-TRIPLEX
FS-FOUR TO SIX UNITS INCLUSIVE
NE-OVER SIX UNITS BUT FEWER THAN FOUR FLOORS (I E ,NON-ELEVATOR)
E-OVER SIX UNITS WITH FOUR OR MORE FLOORS (I E ,ELEVATOR)
RH-ROOMING HOUSE
T-TOWNHOUSE
M MOBILE HOME SITE
RE-REQUESTED
GR-GRANTED

IF THERE WERE MORE THAN ONE TYPE OF BUILDING WITHIN A SINGLE RENTAL COMPLEX, A HEARING COULD HAVE BEEN COUNTED MORE THAN ONCE FOR EACH TYPE INVOLVED

TABLE 5

DISTRIBUTION OF THE RESULTS OF WHOLE BUILDING REVIEW HEARINGS
BY RANGE OF PERCENTAGE INCREASE GRANTED
(1985 - 86)

OFFICE	<=6%	6-10%	10-12%	12-14%	14-16%	16-20%	20-25%	25-30%	30-35%	35-40%	40-50%	>50%	TOTAL
TORONTO	14	66	35	11	7	5	5	8	2	2	1	2	158
ETOBICOKE	16	41	22	17	10	7	5	1	0	0	1	0	120
N. YORK	9	24	17	8	5	4	0	2	1	0	0	0	70
E. YORK	2	15	2	4	1	0	2	0	0	0	0	0	26
SCARBOROUGH	14	14	8	3	1	2	1	0	0	0	0	0	43
WINDSOR	3	13	12	9	7	10	11	4	0	1	0	1	71
LONDON	15	23	4	6	5	3	4	5	1	0	0	1	67
OWEN SOUND	2	2	5	1	0	1	1	2	0	0	0	0	14
KITCHENER	18	69	34	15	7	14	5	6	2	0	2	4	176
HAMILTON	24	50	17	12	16	9	4	3	2	2	3	1	143
ST. CATHARINES	8	34	11	6	12	9	4	3	4	1	0	4	96
MISSISSAUGA	7	18	9	6	0	3	0	0	0	0	0	0	43
BARRIE	5	16	3	2	2	5	2	4	0	1	0	1	41
OSHAWA	2	12	9	3	5	3	1	1	1	0	0	0	37
PETERBOROUGH	3	12	4	4	3	6	7	5	1	0	0	1	46
KINGSTON	7	19	12	4	7	8	4	3	2	6	1	6	79
OTTAWA	16	41	25	19	10	16	11	8	6	1	0	4	157
NORTH BAY	3	1	0	0	2	2	1	2	1	1	0	0	13
SUDBURY	4	6	3	3	3	5	2	1	0	1	0	2	30
TIMMINS	5	3	1	0	4	2	2	1	1	1	2	3	25
THUNDER BAY	1	4	5	0	0	1	1	0	0	0	1	0	13
PROVINCE	178	483	238	133	107	115	73	59	24	17	11	30	1468

TABLE 5A

NUMBER OF UNITS INVOLVED IN WHOLE BUILDING REVIEW
DISTRIBUTED BY RANGE OF PERCENTAGE INCREASE GRANTED
(1985-86)

OFFICE	<=6%	6-10%	10-12%	12-14%	14-16%	16-20%	20-25%	25-30%	30-35%	35-40%	40-50%	>50%	TOTAL
TORONTO	1028	6381	4649	571	75	49	33	166	4	2	3	53	13014
ETOBICOKE	234	940	157	70	69	50	25	1	0	0	35	0	1581
N. YORK	1094	2422	918	1111	281	163	0	19	1	0	0	0	6009
E. YORK	15	787	26	245	6	0	63	0	0	0	0	0	1142
SCARBOROUGH	1682	1218	580	496	136	99	91	0	0	0	0	0	4302
WINDSOR	329	445	471	278	287	100	212	17	0	1	0	2	2142
LONDON	528	872	241	139	105	18	68	110	2	0	0	1	2084
OWEN SOUND	49	36	30	4	0	1	1	6	0	0	0	0	127
KITCHENER	552	2168	478	104	30	134	30	17	3	0	3	4	3523
HAMILTON	1724	2739	628	561	712	481	117	14	2	2	6	7	6993
ST. CATHARINES	179	1284	191	94	169	58	20	10	69	1	0	9	2084
MISSISSAUGA	565	1428	802	138	0	31	0	0	0	0	0	0	2964
BARRIE	99	260	16	5	8	36	3	22	0	60	0	2	511
OSHAWA	5	434	214	126	35	49	9	4	1	0	0	0	877
PETERBOROUGH	4	329	102	63	7	138	35	15	6	0	0	1	700
KINGSTON	58	166	191	29	35	34	7	19	2	6	4	9	560
OTTAWA	899	1500	1753	661	280	114	225	15	60	2	0	4	5513
NORTH BAY	23	4	0	0	32	4	14	22	1	2	0	0	102
SUDBURY	144	100	21	14	36	55	2	1	0	2	0	6	381
TIMMINS	18	17	1	0	9	11	5	1	1	1	3	3	70
THUNDER BAY	4	124	64	0	0	9	4	0	0	0	2	0	207
PROVINCE	9231	23654	11533	4709	2312	1634	964	459	152	79	56	101	51886

TABLE 6

AVERAGE RESULTS OF APPLICATIONS TO DISPUTE A RENT INCREASE
(1985 - 86)

OFFICE	# UNITS BY MEDIATION	# HRGS	# UNITS IN HRGS	TTL UNITS RESOLVED	$ MONTHLY PROPOSED	MONTHLY $ APPR/ AGREED	# WITH RENT RED.	$ MONTHLY REDUCED
TORONTO	22	16	22	44	580.26	572.79	19	15.73
ETOBICOKE	12	1	1	13	424.52	415.28	6	20.02
N. YORK	50	5	6	56	479.52	447.22	34	51.31
E. YORK	0	1	1	1	539.54	524.27	1	15.27
SCARBOROUGH	3	0	0	3	536.20	516.20	2	30.00
WINDSOR	0	0	0	0	0.00	0.00	0	0.00
LONDON	3	1	1	4	362.00	345.00	3	17.00
OWEN SOUND	0	0	0	0	0.00	0.00	0	0.00
KITCHENER	5	2	3	8	376.00	369.84	4	12.31
HAMILTON	2	1	13	15	453.06	441.60	13	13.22
ST. CATHARINES	0	1	1	1	299.00	299.00	0	0.00
MISSISSAUGA	0	0	0	0	0.00	0.00	0	0.00
BARRIE	3	0	0	3	377.33	372.33	1	15.00
OSHAWA	0	0	0	0	0.00	0.00	0	0.00
PETERBOROUGH	0	1	1	1	390.00	390.00	0	0.00
KINGSTON	6	0	0	6	475.75	474.67	1	4.31
OTTAWA	17	88	93	110	510.21	497.39	88	16.03
NORTH BAY	0	0	0	0	0.00	0.00	0	0.00
SUDBURY	30	1	3	33	306.61	306.61	0	0.00
TIMMINS	6	0	0	6	275.47	234.69	5	40.78
THUNDER BAY	2	0	0	2	0.00	0.00	0	0.00
PROVINCE	161	118	145	306	471.80	457.71	177	23.41

TABLE 7

AVERAGE RESULTS OF APPLICATIONS FOR RENT REBATE
(1985 - 86)

OFFICE	# UNITS BY MED.	NO. OF HEARINGS	NO. UNITS IN HRGS	TTL UNITS RESOLVED	AVG. $ REB. ALL UNITS	# WITH $ REBATE	AVERAGE $ REBATE
TORONTO	146	192	300	446	850.28	283	1340.02
ETOBICOKE	285	45	52	337	946.11	288	1107.08
N. YORK	159	43	71	230	371.78	120	712.57
E. YORK	194	26	39	233	1289.48	196	1532.90
SCARBOROUGH	57	11	11	68	939.99	66	968.48
WINDSOR	59	15	15	74	292.25	60	360.44
LONDON	412	58	95	507	206.20	175	597.38
OWEN SOUND	125	26	41	166	733.77	138	882.65
KITCHENER	72	27	39	111	649.31	94	766.74
HAMILTON	14	2	2	16	266.88	14	305.01
ST. CATHARINES	59	8	27	86	662.20	45	1265.54
MISSISSAUGA	41	18	26	67	489.40	55	596.18
BARRIE	16	10	38	54	575.83	51	609.71
OSHAWA	27	10	13	40	479.16	31	618.27
PETERBOROUGH	33	13	17	50	760.25	35	1086.08
KINGSTON	306	81	141	447	552.10	324	761.70
OTTAWA	5	5	5	10	221.71	6	369.51
NORTH BAY	10	2	2	12	253.30	9	337.74
SUDBURY	34	10	10	44	583.95	35	734.11
TIMMINS	17	7	8	25	357.32	15	595.53
THUNDER BAY	2075	611	954	3029	640.05	2046	947.56
PROVINCE							

TABLE 8

DISTRIBUTION OF RESULTS OF APPEALS BY RANGES OF DOLLARS
(1985-86)

	$ INCREASE FROM INITIAL HEARING								$ DECREASE FROM INITIAL HEARING							RENTS AFFIRMED	
OFFICE	TOTAL HRGS	TOTAL UNITS	PER-CENT	<=5	6-10	11-15	>15	AVG $ INC	TOTAL UNITS	PER-CENT	<=5	6-10	11-15	>15	AVG $ DEC	TOTAL UNITS	PER-CENT
TORONTO	72	3560	61	1967	363	398	832	11	376	6	18	0	0	358	16	1863	32
ETOBICOKE	13	173	51	136	0	37	0	5	72	21	32	30	0	10	6	95	28
N. YORK	24	572	22	500	0	57	15	3	817	32	458	217	0	142	0	1195	46
E. YORK	14	450	48	163	3	71	213	19	369	39	369	0	0	0	1	123	13
SCARBOROUGH	13	488	24	349	0	133	6	5	58	3	0	0	0	58	19	1460	73
WINDSOR	12	323	75	279	0	43	1	3	15	4	0	1	0	14	42	90	21
LONDON	8	173	39	162	6	0	5	5	0	0	0	0	0	0	0	267	61
OWEN SOUND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
KITCHENER	7	14	25	10	2	0	2	7	0	0	0	0	0	0	0	42	75
HAMILTON	29	832	45	382	324	53	73	7	463	25	34	0	57	372	20	566	30
ST. CATHARINES	7	27	10	0	18	9	0	9	243	90	0	179	4	60	15	0	0
MISSISSAUGA	3	467	100	0	197	0	270	17	0	0	0	0	0	0	0	0	0
BARRIE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSHAWA	2	0	0	0	0	0	0	0	1	1	0	0	0	1	60	71	99
PETERBOROUGH	2	147	100	132	0	0	15	5	0	0	0	0	0	0	0	0	0
KINGSTON	5	36	62	0	0	0	36	21	0	0	0	0	0	0	0	22	38
OTTAWA	18	110	14	104	2	0	4	3	359	44	133	0	11	215	23	342	42
NORTH BAY	3	4	44	0	0	4	0	11	0	0	0	0	0	0	0	5	56
SUDBURY	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	122	100
TIMMINS	3	4	36	4	0	0	0	2	0	0	0	0	0	0	0	7	64
THUNDER BAY	2	12	100	0	0	4	8	16	0	0	0	0	0	0	0	0	0
PROVINCE	238	7392	45	4188	915	809	1480	9	2773	17	1044	427	72	1230	13	6270	38

TABLE 9

INQUIRY STATISTICS
(1985-86)

OFFICE	TOTAL NUMBER OF INQUIRIES	NUMBER OF INQUIRIES BY METHOD			NUMBER OF INQUIRIES BY SOURCE			NUMBER OF INQUIRIES BY SUBJECT**		
		VISIT	PHONE	MAIL	LANDLORD	TENANT	OTHER	R.T.A.	L.+T.A.	OTHER
TORONTO	82593	3954	78387	252	18235	61719	2639	40255	42921	1691
ETOBICOKE	26795	1530	24989	276	5745	20554	496	13969	13652	958
N. YORK	27916	1734	26078	104	4725	22317	874	15163	13070	2004
E. YORK	9118	787	8301	30	1726	7125	267	5253	4162	266
SCARBOROUGH	17228	1172	16006	50	2326	14358	544	9270	7792	618
WINDSOR	20725	2793	17919	13	6817	13015	893	9579	12736	743
LONDON	26010	1807	24202	1	5433	19742	835	12799	14408	503
OWEN SOUND	2999	434	2555	10	961	1796	242	1250	2081	160
KITCHENER	28263	2158	26050	55	6646	19139	2478	11255	16588	1724
HAMILTON	32502	2316	30161	25	6751	24740	1011	13964	18098	2567
ST. CATHARINES	11580	1076	10490	14	2977	8169	434	6607	5763	345
MISSISSAUGA	22117	1412	20683	22	3983	17924	210	9278	14380	1920
BARRIE	8681	1220	7428	33	2895	5407	379	4130	5717	291
OSHAWA	8126	698	7413	15	1641	6261	224	3956	6767	213
PETERBOROUGH	7830	1128	6693	9	2099	5387	344	3165	5048	277
KINGSTON	11874	974	10806	94	3812	7373	689	6007	6233	440
OTTAWA	53472	4639	48282	551	11759	38692	3021	26067	27778	2769
NORTH BAY	5988	987	5001	0	1957	3919	112	2088	4269	346
SUDBURY	12282	1367	10832	83	4339	7011	932	4172	8124	150
TIMMINS	7152	1191	5925	36	2294	4515	343	2381	5744	460
THUNDER BAY	8081	1444	6617	20	2865	5013	203	2949	5900	109
PROVINCE	431332	34821	394818	1693	99986	314176	17170	203557	241231	18884
% DISTRIBUTION*	100	8.1	91.5	0.4	23.2	72.8	4.0	43.9	52.0	4.1

* INDICATES THE PERCENTAGE DISTRIBUTION AMONG THE CATEGORIES WITHIN EACH OF THE THREE BROAD HEADINGS.
** THE TOTALS OF THIS SECTION EXCEED THE NUMBER OF INQUIRIES AS TWO OR MORE SUBJECTS WERE DISCUSSED BY THE CALLER.

TABLE 10 WORKLOAD STATISTICS BY FIELD OFFICE FOR 1985/86

	APPLICATIONS RECEIVED				HEARINGS COMPLETED				MEDIATIONS SETTLED		OUTSTANDING APPLICATIONS		
	LANDLORD	TENANT RENT RED'N	TENANT RENT REBATE	APPEALS	WBR	TENANT RENT RED'N	TENANT RENT REBATE	APPEALS	TENANT RENT RED'N	TENANT RENT REBATE	LANDLORD	TENANT	APPEALS
TORONTO	207	63	537	73	144	18	167	132	12	62	103	255	71
ETOBICOKE	164	13	522	31	131	1	66	28	13	290	59	119	14
N. YORK	134	122	314	28	76	10	43	54	61	110	69	255	22
E. YORK	35	8	226	10	28	2	91	24	0	173	10	76	6
SCARBOROUGH	52	8	277	18	42	0	16	20	2	60	18	193	2
WINDSOR	87	9	90	11	77	0	22	12	0	47	18	20	5
LONDON	80	103	680	13	71	1	52	14	3	419	14	357	10
OWEN SOUND	14	0	9	0	15	0	3	0	0	5	2	1	0
KITCHENER	250	17	248	16	189	4	31	13	3	104	85	75	8
HAMILTON	207	15	212	25	151	2	23	29	2	66	66	93	7
ST. CATHARINES	130	1	21	8	98	1	2	5	0	12	43	6	2
MISSISSAUGA	45	1	91	6	39	1	8	6	0	39	18	33	9
BARRIE	39	34	54	1	31	1	24	3	3	43	14	10	2
PETERBOROUGH	55	0	40	3	52	0	9	7	0	25	16	4	0
KINGSTON	123	17	70	7	92	1	19	10	9	30	48	18	1
OTTAWA	244	36	546	21	197	9	161	122	20	277	84	165	11
OSHAWA	38	2	68	2	41	0	9	26	0	17	11	15	2
NORTH BAY	27	52	17	3	23	0	6	3	0	7	7	42	0
SUDBURY	54	176	40	5	40	1	4	1	33	8	29	168	4
TIMMINS	36	10	55	0	26	0	10	4	9	40	13	7	2
THUNDER BAY	20	6	29	2	19	0	8	3	1	22	6	14	2
PROVINCE	2041	693	4146	286	1582	52	774	516	171	1856	733	1926	183

TABLE 11

SEVEN YEAR STATISTICAL SUMMARY

	1979/80 (7 months)	1980/81	1981/82	1982/83	1983/84	1984/85	1985/86
Workload							
1. Whole Building Review Applications							
(a) Applications received	987	2,170	5,027	5,442	2,074	1,793	2,041
(b) Rental units received	26,374	51,542	157,811	189,952	76,839	58,043	75,169
2. Tenant applications received	993	2,809	3,053	3,753	3,987	3,886	4,839
3. Appeals filed	104	280	417	725	798	535	721
4. Inquiries received	35,552	122,224	172,749	271,151	311,881	305,788	431,332
5. Hearings held							
(a) Initial Hearings	760	1,781	3,369	5,224	3,784	2,551	2,408
(b) Appeal hearings	20	290	229	415	772	547	515
6. Successful mediations held	322	1,096	1,203	1,412	2,232	2,044	2,027
7. Outstanding Workload (at year-end)							
(a) Initial hearings	282	457	2,034	1,978	566	409	733
(b) Tenant applications	235	430	690	1,349	1,073	1,237	1,926
(c) Appeal hearings	73	37	149	281	127	87	183
Service Levels							
1. Whole Building Review applications for which Order was issued prior to the effective date of the first rent increase	n/a	54%	31%	5%	6%	13%	18%
2. Average days from application receipt to issue of order or date of agreement, for							
(a) Whole Building Review Applications	n/a	88	109	178	213	158	138
(b) Tenant Applications							
- Rent Reduction	n/a	55	66	74	110	132	205
- Rent Rebate	n/a	48	54	88	117	92	91
(c) Appeals (from initial order to Appeal order)	n/a	97	128	179	202	188	177
Rent Review Results							
1. Average rent increase granted (%)	10.7	11.6	14.7	14.2	10.6	10.0	9.6
2. Average rent rebate granted ($)	219.99	346.49	296.04	450.38	591.49	756.72	947.56
Resources							
1. Expenditure ($000)	1,644	4,727	4,975	6,503	7,735	7,442	7,885
2. Number of Commissioners	25	31	29	38	43	42	42

PUBLIC INFORMATION MATERIAL

Following is a complete listing of reference materials available to the public from Residential Tenancy Commission offices or, in some instances, the Ontario Government Book Store.

- **INTERPRETATION GUIDELINES**
  - Procedural Guidelines
  - Rent Review Guidelines

- **GUIDE TO THE COST REVENUE STATEMENT**

- **SUMMARY OF SIGNIFICANT DECISIONS**

- **ANNUAL REPORT TO THE MINISTER**

- **PUBLIC INFORMATION BROCHURES**
  - Rent Review: Here are the Facts
  - Appealing a Decision, It's a Matter of Facts
  - Your Rights and Obligations under the Landlord and Tenant Act, Part IV (Residential Premises)

RESIDENTIAL TENANCY COMMISSION OFFICES

Central Region

1.	East York	7 Overlea Boulevard, 6th Floor Toronto, Ontario, M4H 1A8 (416) 429-0664
2.	Etobicoke	5233 Dundas Street West, 4th Floor, M9B 1A6 (416) 236-2681
3.	North York	45 Sheppard Avenue East, 5th Floor Willowdale, Ontario, M2N 5W9 (416) 224-7643
4.	Scarborough	2100 Ellesmere Road, 3rd Floor, M1H 3B7 (416) 438-3452
5.	Toronto	56 Wellesley Street West, 8th Floor, M7A 2J9 (416) 964-8281

South-Western Region

6.	Barrie	114 Worsley Street, 5th Floor, L4M 1M1 (705) 737-2111
7.	Hamilton	25 Main Street West, 16th Floor, L8P 1H1 (416) 528-8701
8.	Kitchener	30 Duke Street West, 4th Floor, N2H 3W5 (519) 579-5790
9.	London	80 Dundas Street East, 1st Floor, N6A 2P3 (519) 673-1660
10.	Mississauga	1310 Dundas Street East, 2nd Floor, L4Y 2C1 (416) 270-3280
11.	Owen Sound	1131 Second Avenue East, Suite 106, N4K 2J1 (519) 376-3202
12.	St. Catharines	43 Church Street, 6th Floor, L2R 7E1 (416) 684-6562
13.	Windsor	99 Chatham Street East, 7th Floor, P.O Box 189, Station 'A', N9A 6V6, (519) 253-3532

Eastern & Northern Region

14.	Kingston	275 Ontario Street, Suite 100, K7K 2X5 (613) 548-6770
15.	North Bay	215 Oak Street East, P1B 8P8 (705) 476-1231
16.	Oshawa	11 Simcoe Street North, 5th Floor, L1G 4R7 (416) 723-8135
17.	Ottawa	10 Rideau Street, 3rd Floor, K1N 9J1 (613) 230-5114
18.	Peterborough	139 George Street North, K9J 3G6 (705) 743-9511
19.	Sudbury	199 Larch Street, 5th Floor, P3E 5P9 (705) 675-4373
20.	Thunder Bay	435 James Street South, 3rd Floor, P.O. Box 5000, Station 'F', P7C 5G6 (807) 475-1595
21.	Timmins	273 Third Avenue, 2nd Floor, P4N 1E2 (705) 264-9555